

Our Customer Terms

Home Broadband section

Part E – Hybrid Modems

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Part E – Hybrid Modems

1 About this Part

- 1.1 This Part E is part of the Home Broadband section of Our Customer Terms and applies to you if you wish to purchase or have purchased a hybrid modem (such as the Telstra Gateway Frontier or Telstra Smart Modem) (“**Hybrid Modem**”).
- 1.2 Provisions in other parts of the Home Broadband section also apply.
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2 Eligibility

- 2.1 We are offering a Hybrid Modem to you to purchase if:
- (a) You:
 - (i) have a Home Bundle from Telstra with an active nbn, ADSL, Opticomm or Cable home broadband service; or
 - (ii) you are acquiring a Home Bundle from Telstra with a nbn, ADSL, Opticomm or Cable service and your service address is able to be supplied with a home broadband service; and
 - (b) your service address has adequate 4G Telstra Mobile Network coverage.
 - (c) We may also choose to provide you with a Hybrid Modem as part of a Home Bundle from time to time, or if you need a compatible modem to migrate to the nbn network, or when moving home. You will be notified if this is applicable. If your service address is not in an adequate 4G coverage area we may still choose to provide you with a Hybrid Modem, however Power-on Working or Automatic Failover may not be available to you.
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3 Service Features

Functionality

The Hybrid Modem includes a mobile backup pathway so you can use your Telstra home services via the mobile backup pathway in two scenarios:

- (a) **Power-on Working:** It can take a few days for us to activate your fixed line home broadband service. While you are waiting you can use your home broadband service (and home phone service when on the nbn network) as soon as you set up your Hybrid Modem at your service address.
- (b) **Automatic Failover:** If for some reason your fixed line connection is unavailable, the Hybrid Modem will switch to the mobile backup pathway to keep your broadband service (and home phone on the nbn network) working until they become available again via your fixed line. This switchover process takes approximately one to six minutes.

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3.2 Mobile backup broadband and home phone calling are available on certain connection types and on certain Hybrid Modem models as follows:

	nbn	Cable	ADSL	Opticomm
Broadband	Yes	Yes	Yes	Yes
Home phone	Yes	No	No	No

	Telstra Gateway Frontier	Telstra Smart Modem	Telstra Smart Modem Gen 2.0	Telstra Smart Modem Gen 3
Broadband	Yes	Yes	Yes	Yes
Home phone	No	Yes	Yes	Yes

3.3 When the Hybrid Modem is operating in Power-on Working or Automatic Failover modes, your service continues to operate and the sections of Our Customer Terms which relate to Home Broadband customers still apply (including those relating to price) except as set out in this Part E of the Home Broadband service section of Our Customer Terms.

3.4 Some services or service features may not work while the Hybrid Modem is using the mobile backup pathway. This includes but is not limited to:

- (a) Home phone calling except on the nbn network;
- (b) some telephony services such as TTY, facsimile, back to base alarms, and medical alarms;
- (c) EFTPOS;
- (d) Telstra Air;
- (e) Telstra Broadband Protect;
- (f) T-Voice® services; and
- (g) any Speed Boost on your home broadband service.

Usage and speeds

3.5 When Hybrid Modem is connected via the mobile backup pathway, all data usage continues to count towards your home broadband data allowance and (on the nbn network) all calls made using your home phone will be charged in accordance with your existing Home Bundle entitlements.

3.6 The speed of the backup pathway has been limited to a maximum line speed of 25 Mbps for downloads and 5 Mbps for uploads. Actual speeds in real life conditions may be slower.

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Compatibility

- 3.7 The Hybrid Modem mobile backup functions will only operate on the Telstra Mobile Network and cannot be activated using a mobile SIM card from another service provider.

4 Service Limitations

- 4.1 Use of the Power-on Working and Automatic Failover services is subject to the following limitations (“**Service Limitations**”):
- (a) Your Hybrid Modem must only be used at your home broadband service address.
 - (b) You must ensure your Hybrid Modem remains connected to your fixed line (for example, via your home phone or cable wall socket or nbn network terminating device) at all times and you must not otherwise knowingly or recklessly interfere with your Hybrid Modem or home wiring in a way that may disable your fixed line home broadband service.
- 4.2 If you breach a Service Limitation, you are in breach of our Acceptable Use Policy and we may take remedial action in accordance with the Acceptable Use Policy. Remedial actions may include, but are not limited to:
- (a) giving you a notice requesting that you stop the activities or conduct, or to take steps to remedy your breach;
 - (b) giving you a warning that any further repetition of the activity or conduct will result in us suspending or terminating your service(s); and
 - (c) suspending or terminating your service(s) if you fail to comply with our previous requests to remedy your breach.